

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

V.

~~UNDER SEAL~~

FILED

MAY 10 2018

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Sn

RENATO LIBRIC,

CR 18 196 MMC

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 1343 - Wire Fraud; and

18 U.S.C. §§ 981(a)(1)(C), 982(a) & 28 U.S.C. § 2461(c) - Criminal Forfeiture

A true bill.

Leander Port

Foreman

Filed in open court this 10th day of

May 2018
K. L. Hon

KAREN L. HON

Clerk

JOSEPH C. SPERO

UNITED STATES MAGISTRATE JUDGE

Bail, \$

no bail arrest warrant

AO 257 (Rev. 8/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

18 U.S.C. § 1343 Wire Fraud)

UNDER SEAL

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: Maximum term of imprisonment of 20 years; Maximum fine of \$250,000 or the greater of twice the gross gain or twice the gross loss; Maximum of 3 years of supervised release; \$100 special assessment; Restitution and forfeiture as determined by the Court

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

▶ RENATO LIBRIC

DISTRICT COURT NUMBER

FILED CR 18 196 MMC

MAY 10 2018

DEFENDANT**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation (FBI)

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form Alex G. Tse

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) Matthew L. McCarthy

NOT IN CUSTODY
 SUSAN Y. SOONG, CLERK, U.S. DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA
☒ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)

N.D. California

IS IN CUSTODY4) ☐ On this charge5) ☐ On another conviction
☐ Federal ☐ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

ALEX G. TSE (CABN 152348)
Acting United States Attorney

FILED

MAY 10 2018

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

~~UNDER SEAL~~

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RENATO LIBRIC,

Defendant.

CASE NO.

CR 18 196 MMC

VIOLATIONS: 18 U.S.C. § 1343 – Wire Fraud; 18
U.S.C. §§ 981(a)(1)(C), 982 & 28 U.S.C. § 2461(c) –
Criminal Forfeiture

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

Introductory Allegations

At all times relevant to this Indictment:

1. Defendant Renato LIBRIC resided in the Northern District of California.

2. Bouxtie, Inc. (“Bouxtie”) was a Delaware corporation with offices in San Francisco, Redwood City, and Sunnyvale, California. Renato LIBRIC was a shareholder in and the Chief Executive Officer of Bouxtie. Bouxtie maintained various financial accounts, including a Silicon Valley Bank account with an account number ending in -5718.

INDICTMENT

The Scheme to Defraud

9. LIBRIC fraudulently placed the signatures of members of Boustie's Board of Directors on a document entitled "Corporate Resolution of Boustie, Inc." These signatures purportedly authorized LIBRIC to enter into agreements with Moose Run, under which Moose Run would lend Boustie

1 \$1,500,000. Under the proposed terms, this loan could then be converted into shares equaling no less
 2 than 3.99% of Bouxtie. LIBRIC then transmitted this fraudulent Resolution to N.L, who was acting on
 3 behalf of Moose Run, on October 19, 2017.

4 10. After receiving these and other representations, Moose Run chose to invest \$1,500,000 in
 5 Bouxtie. To effect this investment, Moose Run caused a wire in the amount of \$1,500,000 to be
 6 transmitted from First Security Bank in Missoula, Montana to Bouxtie's account ending in -5718 at
 7 Silicon Valley Bank in Santa Clara, California. These funds were transmitted by wire from Montana to
 8 California on October 20, 2017.

9 11. On October 23, 2017, LIBRIC transferred, or caused to be transferred, \$100,000 from the
 10 Silicon Valley Bank account of Bouxtie ending in -5718 to his own Wells Fargo checking account
 11 ending in -0175.

12 12. On October 27, 2017, LIBRIC transferred, or caused to be transferred, \$11,352 from the
 13 Silicon Valley Bank account of Bouxtie ending in -5718 to his own Wells Fargo checking account
 14 ending in -0175.

15 13. On November 27, 2017, LIBRIC transferred, or caused to be transferred, \$25,000 from
 16 the Silicon Valley Bank account of Bouxtie ending in -5718 to his own Wells Fargo checking account
 17 ending in -0175.

18 COUNT ONE: (18 U.S.C. §§ 1343 and 2 – Wire Fraud and Aiding and Abetting)

19 14. Paragraphs 1 through 13 of this Indictment are re-alleged and incorporated.

20 15. On or about October 20, 2017, in the Northern District of California and elsewhere, the
 21 defendant,

22 RENATO LIBRIC,

23 for the purpose of executing the scheme and artifice referred to above, and attempting to do so, did
 24 knowingly transmit and cause to be transmitted writings, signs, signals, pictures, and sounds in interstate
 25 commerce by means of wire communications, to wit: an interstate wire transmission of \$1,500,000 from
 26 First Security Bank in Missoula, Montana to Bouxtie, Inc.'s account ending in -5718 at Silicon Valley
 27 Bank in Santa Clara, California.

28 All in violation of Title 18, United States Code, Sections 1343 & 2.

INDICTMENT

1 FORFEITURE ALLEGATION: (18 U.S.C. §§ 981(a)(1)(C) & 28 U.S.C. § 2461(c) – Criminal
2 Forfeiture)

3 16. All of the allegations contained in this Indictment are re-alleged and fully incorporated
4 herein for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code,
5 Sections 981(a)(1)(C) and 982(a), and Title 28, United States Code, Section 2461(c).

6 17. Upon a conviction for the offense alleged in Count One of this Indictment, the defendant,
7 RENATO LIBRIC,
8 shall forfeit to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(C), and 28 U.S.C. § 2461(c) all
9 property, real or personal, constituting, and derived from, proceeds the defendant obtained directly and
10 indirectly as the result of those violations, including but not limited to a forfeiture money judgment in an
11 amount equal to the total proceeds from the commission of said offense.

12 18. If any of the aforementioned property, as a result of any act or omission of the defendant–
13 a. cannot be located upon the exercise of due diligence;
14 b. has been transferred or sold to, or deposited with, a third person;
15 c. has been placed beyond the jurisdiction of the Court;
16 d. has been substantially diminished in value; or
17 e. has been commingled with other property that cannot be divided without difficulty;
18 any and all interest the defendant has in other property shall be vested in the United States and
19 forfeited to the United States pursuant to 21 U.S.C. § 853(p).

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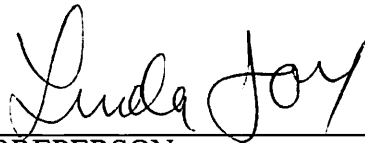
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1 All in violation of Title 18, United States Code, Sections 981(a)(1)(C); Title 28, United States
2 Code, Section 2461(c); and Rule 32.2 of the Federal Rules of Criminal Procedure.


3
4 DATED: 5-10-18

A TRUE BILL

5 
6 _____
7 FOREPERSON

8 ALEX G. TSE
9 Acting United States Attorney

10 
11 _____
12 JOHN H. HERMANN
13 Deputy Chief, Criminal Division

14 (Approved as to form: 
15 _____
16 AUSA MCCARTHY